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FISCAL IMPACT REPORT

SPONSOR:	Adair	DATE TYPED:	02/08/00	HB	
SHORT TITLE:	Amend Instructional Material Law			SB	408
				ANALYST:	Fernandez

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
		See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB285

SOURCES OF INFORMATION

State Department of Public Education (SDE)

SUMMARY

Synopsis of Bill

Senate Bill 408 amends the Instructional Material Law to remove the instructional material bureau within SDE, revises SDE oversight responsibilities, eliminates the state adoption process, and eliminates the requirement that the State Board develop the multiple adoption list.

Significant Issues

This bill eliminates the written list of instructional materials approved by the SBE also known as the "multiple list". The State Board is required to provide lists of instructional material to be made available to students.

SDE will be required to ensure that materials purchased by school districts, state institutions, adult basic education centers and private schools are not of a secular, denominational or religious nature except as indicated in the Historical Codes Act.

During the interim, the LFC and the Legislative Education Study Committee (LESC) conducted a joint audit review of instructional material. The purpose of the audit was to determine the effectiveness of the department's oversight and monitoring, effectiveness of the state adoption process, compliance with statute and regulations, effectiveness of the funding mechanism and the efficiency and effectiveness of book depositories.

The audit found the state adoption process was ineffective since only a cursory screening is performed at the state level and almost 90 percent of the materials submitted for consideration are adopted. Local districts are responsible for performing an in-depth review to ensure compliance with standards and benchmarks. This issue was identified as a policy decision to be addressed by the legislature and two options were provided for consideration. First, eliminate the state adoption process and transfer the responsibility to the local level, thus allowing local districts the flexibility to adopt and purchase materials that meet their needs. Districts will be held accountable for meeting state standards and benchmarks through the Educational Plan for Student Success (EPSS) process. A second option is to strengthen the current adoption process by requiring a more

thorough review at the state level and reduce to the adoption list to a select number of core/basal materials that meet state standards and benchmarks.

Details of these and numerous other findings can be found in the November 1999 joint report to the Legislative Finance Committee and the Legislative Education Study Committee.

FISCAL IMPLICATIONS

This bill will allow school districts, state institutions, adult basic education centers and private schools to purchase 100 percent of materials directly from publishers, book depositories or other sources.

ADMINISTRATIVE IMPLICATIONS

The department indicates that since this bill eliminates the Instructional Materials Bureau but the duties and responsibilities remain, other staff within the agency will be required to administer the provisions of the law.

RELATIONSHIP

This bill relates to SB285. Senate Bill 285 amends the Instructional Material Law to eliminate the state adoption process, eliminates the requirement that the State Board develop the multiple adoption list, revises the definition of instructional materials and revises SDE's oversight duties related to instructional materials.

TECHNICAL ISSUES

This bill requires the State Board to provide lists of instructional material to be made available to students. It is not clear as to the purpose of the list or what the list shall be comprised of.

OTHER SUBSTANTIVE ISSUES

This bill implements the recommendations of the Executive.

CTF/njw